

FULL STATEMENT

OF THE

REASONS WHICH WERE IN PART OFFERED

TO THE

COMMITTEE OF THE LEGISLATURE

OF MASSACHUSETTS,

ON THE FOURTH AND EIGHTH OF MARCH, SHOWING WHY THERE
SHOULD BE NO PENAL LAWS ENACTED, AND NO CON-
DEMNATORY RESOLUTIONS PASSED BY THE
LEGISLATURE, RESPECTING

ABOLITIONISTS AND

ANTI-SLAVERY SOCIETIES.

Copy of the Report of the Committee of the Legislature of Massachusetts, on the Petition of the Anti-Slavery Society, presented to the House of Representatives, March 4th, 1836.

BOSTON:

PUBLISHED BY THE MASSACHUSETTS ANTI-SLAVERY SOCIETY.
PRINTED BY ISAAC KNAPP.

1836.

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William Goodell

STATEMENT, ETC.

A communication has been made to the Legislature by his Excellency the Governor of this Commonwealth, laying before them certain documents received from the Executives and Legislatures of several of the Southern States, setting forth sundry complaints against Abolitionists and Anti-Slavery Societies in the non-slaveholding States, particularly in this Commonwealth, and requesting legislative action thereon, even to the *suppression* of Anti-Slavery Societies, and of the peaceable meetings of Abolitionists, by *penal* enactments prohibiting the same.

Against such enactments, and against all proceedings of our Legislature, in conformity to the demands or wishes of the Southern Governors or Legislatures, and against the expression of any views and sentiments condemnatory of the proceedings of Abolitionists, in the form of resolutions, or otherwise, We as Abolitionists, members of Anti-Slavery Societies, and as free citizens of the United States, and of the Commonwealth of Massachusetts, do earnestly, firmly and respectfully protest.

We ground this protest,—

FIRST. Upon the **FACTS** of the case.

SECONDLY. Upon the **CONSTITUTIONS** of our country, and the great principles of *Common Law*.

THIRDLY. Upon the nature and inalienable tenure of **HUMAN RIGHTS**.

FOURTHLY. Upon the *futility* of the proposed legislative action as a means of *good*; and its tendency to the production of *evil*.

FIFTHLY. Upon the **UNLIMITED DESPOTISM** of the Southern demands.

SIXTHLY. Upon the present condition of **NORTHERN FREEDOM**, in consequence of **SOUTHERN AGGRESSION**, and the necessity for a course of northern action *far different* from the policy insisted on by the South.

We beg leave to explain each of these grounds.

1. We claim, in the first place, that there are no **FACTS** in

respect to Abolitionists, or Anti-Slavery Societies, their principles, publications, or measures, which are hostile or dangerous to the peace, the safety, or the prosperity of the South, or which justify the complaints, much less the insolent demands of the slaveholding upon the non-slaveholding States.

Abolitionists and Anti-Slavery Societies, without exception, propose the abolition of slavery by the operation of moral means alone—and those means only operating on the free. Their single object is the overthrow of the slave system, and their only weapon is the promulgation of Truth.

VIEW OF AMERICAN SLAVERY.

We looked round upon our countrymen, and found one sixth part of them held as mere 'goods and chattels,' 'to all intents, constructions and purposes whatsoever.' We found their consciences and intellects 'entirely subject to the will of their masters to whom they belong.' We saw them robbed of all their inalienable rights; their labor extorted by violence, without wages; their immortal minds famished for the want of food, which is peremptorily denied them—even that bread which came down from heaven. We saw them denied the right of holding any property, or of making any contract. We saw them held incapable of contracting even marriage, and liable to have that relation, at any moment, set at nought, however solemnly they might have formed it. Under the protection of American Law, we saw men putting those asunder whom God had joined together—tearing the husband from the wife—the wife from the husband—the parent from the child—yea, even the sucking babe from the bosom of its mother. We saw every where throughout the Southern States, the practical annihilation of the Fifth and Seventh Commandments of the Decalogue, in respect to the social condition of more than two millions of our people. In short, we found more than a sixth part of the population of our land, without any more protection for their persons or their lives, than is given to the domesticated brutes.

We saw all this in the midst of a nation claiming to be republican—a people professing to be Christian. We saw in its progress and effects, the constant growth of an already extended *trade in human beings*, on the soil consecrated to freedom—and the very capital city of our land a large slave market. This domestic slave trade, according to the testimony of more than one thousand citizens of the District of Columbia, we know to be, 'scarcely less disgraceful in its character, and even, *more demor-*

alizing in its influence,' than the foreign slave trade, which our government punishes as piracy.*

We found these abominations exposing our republican institutions to disgrace, corruption and ruin; and our country to the judgments of the Almighty, who 'is just; and whose justice can not sleep forever.'

OUR DUTY AND OUR RIGHTS.

Under such circumstances—in view of such evils and such dangers, it was impossible for us to remain silent. We should have done the greatest violence to our consciences if we had remained silent. We gave utterance to the honest sentiments of our hearts. What less could we think—what less could we say, than that '*slaveholding is sin?*' What remedy could we, as Christians, have proposed for such a sin, but *its immediate renunciation and abandonment?* We had a right thus to speak—a right conferred upon us by our Creator—a right enforced by his explicit command, 'to plead for the oppressed'—a right most solemnly asserted by the founders of our Republic—a right exercised by our fellow-citizens from the first moment of our national existence—a right which our national and state constitutions explicitly guarantied to us and to all the free people of the land. We have thus spoken. We have uttered our thoughts and feelings by the living voice, and on the printed page. This is the head and front of our offending! Will the Representatives of Massachusetts condemn us for this?

Our Anti-Slavery Societies have been organized solely for the purpose of bearing this public testimony against oppression, and in favor of liberty, of persuading our fellow-citizens to cease from iniquity, and practice impartial righteousness, of diffusing such information, and presenting such considerations as shall convince them of the safety, as well as duty, of ceasing immediately to do evil, and of learning to do well.

OUR OBJECT NOT INSURRECTIONARY.

We have constantly disclaimed and condemned any resort to physical force for the relief of the oppressed, and have labored to show the criminality and impolicy of any such attempt. We challenge the most rigid scrutiny of our publications for the detection

* See the memorial to Congress, March 24, 1828, praying for the gradual abolition of slavery in the District of Columbia, signed by the Hon. William Cranch, Rev. Elias Harrison, Thomas Vowell, John Douglass, Rev. W. C. Walton, Thomas Janney, C. P. Thompson, Pishey Thompson, Jonathan Shillaber, Joel Cruttenden, Abijah Janney, and more than a thousand others.

of any thing of a contrary character. For several years, our opponents have been challenged to produce any proof of their iterated allegations, that our publications were insurrectionary and incendiary. What evidence has been produced? Let the official proceedings in Alabama testify. When the Executive of that State demanded of the Executive of New York, the delivery of R. G. Williams, publishing Agent of the Anti-Slavery Society, he grounded his claim upon the indictment of the Grand Jurors of that State, who presented as insurrectionary the following sentences in 'The Emancipator,' published by Mr. Williams,—viz. 'God commands, and all nature cries out, that man should not be held as property. The system of making men property has plunged 2,250,000 of our fellow-countrymen into the deepest physical and moral degradation, and they are every moment sinking deeper.'

We ask, whether this be insurrectionary? and if it be, we ask what sentiments of a free and Christian people can be expressed, without a liability to the same condemnation? If they are not insurrectionary, we ask, whether *the fact* does not furnish the strongest presumptive evidence, that the southern authorities are unable to produce any proofs of their allegations? Above all, we ask, whether free citizens of Massachusetts shall be placed under the ban of proscription, by their own representatives, at the bidding of Southern Legislatures, on allegations, sustained by evidences like these.

For the same purpose, we would ask your attention to the Anti-Slavery publications, seized at Norfolk, (Va.) and pillaged from the Post-Office, and burnt at Charleston, (S. C.) as being incendiary. These were the 'Emancipator' for Aug. 1835—the 'Anti-Slavery Record, No. 7—the Slave's Friend,' No 3—and the 'Human Rights' for July, 1835. We affirm, that so far from containing any thing insurrectionary or incendiary, they contained explicit disclaimers of any reliance on physical force; entreaties to the oppressed to reject all carnal weapons; the inculcation of the duty of forgiveness of enemies, repaying injuries with prayer, cursing with blessing, evil with good; and the testimony of a distinguished citizen of the South, lately a slaveholder, that the knowledge of the peaceful anti-slavery efforts would be the most effectual mode of preserving tranquillity among the slaves at the South. [Note A.]

SOUTHERN TESTIMONY.

Permit us further to call your attention to the testimony of our most active opponents at the South, in respect to the real tendency and design of our publications.

The following is extracted from an editorial article in the Washington Telegraph, edited by Gen. Duff Green.

'We are of those who believe the South has nothing to fear from a servile war. We do not believe that the abolitionists intend, nor could they if they would, excite the slaves to insurrection. The danger of this is remote. We believe that we have most to fear from the organized action upon the consciences and fears of the slaveholders themselves; from the insinuations of their dangerous heresies into our schools, our pulpits, and our domestic circles. It is only by alarming the consciences of the weak and feeble, and diffusing among our own people a morbid sensibility on the question of slavery, that abolitionists can accomplish their object. Preparatory to this, they are now laboring to saturate the non-slaveholding states with the belief, that slavery is a 'sin against God'; that the 'national compact' involves the non-slaveholders in that sin; and that it is their duty to toil and suffer, that our country may be delivered from what they term '*its blackest stain, its foulest reproach, its deadliest curse.*''

This statement is illustrated by the fact, that James G. Birney, and many others in Kentucky and Tennessee, had imbibed anti-slavery doctrines, manumitted their slaves, and formed societies auxiliary to the American Anti-Slavery Society. Previous to that time, the liberal distribution of anti-slavery publications through the South created but little alarm.*

Such is the deliberate testimony of a Southern Editor, who has been a constant reader of our publications, who has copied columns of our writings into his paper, week after week, selecting the portions he deemed most objectionable, for the avowed purpose of rousing the Southern people to make the very identical demands, which are now made, and whose labors have probably been more effectual in producing the documents recently communicated to the Legislature from the South, than those of any other individual in the nation. We ask whether the early demand of that Editor, (since echoed in substance by Governor M'Duffie and other Southern authorities) 'that the printing and distribution of such incendiary publications should, upon conviction thereof, be punished with death'—is a demand justified by THE FACTS furnished in the above evidence. Nay, we ask whether freemen of Massachusetts deserve censure from the representatives of freemen, for doing the things which this testimony attributes to them?

We would further suggest the inquiry, whether our publications can, *in reality* be deemed incendiary at the South, seeing that copious extracts from them, as in the case just mentioned, have been freely and perseveringly circulated by our own accusers, in the Southern papers, month after month, and year after

* In 1833, the circulation of anti-slavery publications through the Southern mails, was probably greater than in any other year. Yet the mails were not *then* violated.

year, without any remonstrance or censure, without any note of alarm, without any violation of the mail, without any executions of penal enactments? We ask whether citizens of the North shall be less free than citizens of the South, or censured for doing the same thing that is done by those who censure them? We ask whether it is probable that abolition papers directed white citizens of the South will be more likely to fall into the hands of the slaves, than the accredited organs of political intelligence, which are freely circulated every where at the South? Anti-slavery writings have reached the eye of the slave, is it not more probable that it has been through the columns of the Washington Telegraph, and various Southern papers, that have pursued a similar course, than through the papers whose very names are associated with every feeling of detestation and horror?

The American Anti-Slavery Society have solicited of Congress and of the President of the United States, the appointment of a committee to visit their office, to examine their files of papers, their publications, their records, their correspondence—to see whether they can find any thing insurrectionary, incendiary or treasonable. Yet this reasonable request has received no attention. Is it not probable that the opportunity would have been eagerly seized by the Southern members, had it not been for the consciousness, that such an investigation would have defeated and confounded themselves?

Our publications, then, are neither insurrectionary nor incendiary. If the slaves all understood their contents, the knowledge would only dissuade them from insurrections. They would be taught the wickedness and impolicy of such a course.

ABOLITIONISTS HAVE SENT NOTHING TO THE SLAVES.

But abolitionists have sent no publications to the slaves. They are not acquainted with them. They have sent no agents among them. Papers would not reach them through the mails, if directed to them. And they could not read, if they should chance to receive them.

Our publications have been officially sent only to prominent free white citizens, with the exception of a few subscribers to the Emancipator, among the free colored population of the District of Columbia. We state this as *a fact*, simply because it is a fact. Not because we concede, that any ill effects would follow their promiscuous distribution, nor because we relinquish our legal and constitutional right to address *all* free American citizens, irrespective of color; and our inalienable right, by the laws of God, and the commission of Jesus Christ, to communicate a full knowledge of moral truth and duty to every human creature.

Not only have we disclaimed a resort to physical force, but we have uniformly recognised the legal and constitutional right of the people of each of the Southern States to exclusive legislation, in respect to the Abolition of Slavery within its own jurisdiction. We ask of Congress to exercise its constitutional power for the abolition of Slavery in the District and Territories subject to its control, and to abolish the internal slave trade.* This ground has been uniformly taken in our publications from the beginning.

We ask attention to the fact, that although frequent insurrections among the slaves have taken place, and a remarkable one in Virginia in 1831—yet, since the formation of the first Anti-Slavery Society in 1832; *no such calamity has occurred*, although, according to the testimony of the south, the slaves have been subjected since then to more aggravated oppression. We do not venture to predict, that such an awful event will never occur again. That it may never, is our earnest prayer; and we confidently and conscientiously affirm, that the efforts in which we are engaged are eminently calculated to prevent such a recurrence,—in the first place, because they propose to remove the sole *cause* of servile insurrections—in the second place, because the hope of ultimate emancipation may preserve the oppressed from a spirit of desperation and revenge; and finally, because Christian efforts for the reformation of a people are calculated to avert the displeasure of Him, ‘who has no attribute that could take part with us in such a contest.’

Understanding as we do, our constitutional liability, in case of insurrection, *to be officially called upon to take side against the oppressed and the Almighty* and in view of many other considerations which render the sin of slavery a national one, and especially remembering our obligations to our Creator ‘to plead for the oppressed,’ without distinction of color or nation, we claim that the **FACTS** of the case do not call for, but imperatively forbid, any legislative action in accordance with the wishes of the southern authorities.

II. We claim, in the second place, that Abolitionists and Anti-Slavery Societies have done nothing adverse to the letter or spirit of our National or State Constitutions; nothing contradictory to the great principles of international or common law: That, on the contrary, there can be no legislative action against abolitionists, either by penal enactments or condemnatory reso-

* In 1819, during the pendency of the Missouri question, a memorial was presented to Congress in behalf of the citizens of Boston, by Daniel Webster, Josiah Quincy, George Blake, James T. Austin, and John Gallison, in which the opinion was expressed that Congress had a constitutional right to abolish the trade in slaves between the different States.

lutions, without a palpable and daring infraction of the spirit and letter of those Constitutions,—without a virtual abandonment of those principles.

In our exercise of freedom of speech and of the press, we are shielded both by the National and State Constitutions ; by provisions set forth in the Constitutions of the Southern States, as peremptorily as in our own. [See Note B.]

DANGEROUS ASSUMPTION OF POWER.

We should consider a mere allusion to these constitutional provisions sufficient for our purpose, were we not reminded of their glaring infractions by the statutes of the slaveholding States, which in respect to *this subject*, have bound the lips and pen of the *free white citizen* ; and were we not sensible, that with this precedent and example constantly before them, our northern civilians have, in some instances, betrayed a disposition, both in theory and practice, to follow the same fatal course.

In direct contradiction to the letter and spirit of these constitutional provisions, it has been urged, that the Legislature is invested with authority to suppress whatever discussion or publication shall be deemed subversive of the public safety or peace. It is easy to see, that such an assumption by the Legislature would nullify the provisions of the Constitution, and place that discretionary power in legislators, which it was the manifest intent of the Constitution to withhold from them. *Without* any such constitutional provisions, the legislature would be bound to refrain from restricting freedom of speech or of the press, *except* when its exercise should be deemed dangerous. The very *object* of the constitutional restriction, if it have any ; its very language, if words have any meaning, is undeniably this—that the legislature shall be intrusted with no such discretionary power ; shall take into consideration no such supposed contingencies. To permit this, is to sanction unlimited power. In the language of a neighboring State,* in the preamble to an early ‘ Act concerning Religious Freedom,’ the principles of which have at length become the boast of our land :—‘ To suffer the *civil magistrate* to intrude his power into the FIELD OF OPINION, and restrain the profession or *propagation* of principles, *on supposition of their ill tendency*, is a dangerous fallacy, which at once destroys all religious liberty, because he, being of course judge of that tendency, will make his opinions the rule of judgment, and approve or condemn the sentiments of others, only as they shall square with, or dif-

* Rhode Island.

fer from his own. It is time enough for the rightful purposes of civil government, for its officers to interfere, when principles break forth into OVERT ACTS against peace and order: and finally, *truth* is great, and will prevail, if left to herself; she is the proper and sufficient antagonist of error, and has nothing to fear from the conflict, unless by human interference disarmed of her natural weapons, *free argument and debate*; errors ceasing to be dangerous when truth is permitted freely to combat them.'

SPRIT OF OUR CONSTITUTION.

In strict accordance with these principles, our Constitutions permit no arraignment for the crime of treason, except for the commission of the *overt act of levying arms against the country*. A man might publicly write, speak, and print in favor of despotic power, and against republican freedom; in favor of a military usurper, and against the constituted authorities of the land, and however inflammatory and insurrectionary his appeals, he could not lawfully be arraigned for treason, until he actually *took up arms himself*, though thousands might be marshalled on the tented fields in consequence of his publications. Yet peaceful abolitionists, who bear testimony against *all violence*, who only ask their neighbors to cease from its exercise, who vindicate the rights of man, and reprove tyranny and usurpation, are, solely for these acts, denounced as traitors against their country; and a course of legislative action is demanded against them, which the Constitution of the land* does not permit, in the case of the most determined enemy of the rights of mankind, or the institutions of his country. We ask our representatives, whether they will listen to such demands?

The principles of international law have been tortured into a justification of these arrogant and despotic requisitions. It has been said, that States in amity with each other may not lawfully permit their citizens to disturb the peaceful relations subsisting between themselves, or stir up insurrection or disturbance in a community of which they are not members. It has been said, that the State, refusing to prohibit and suppress such attempts of its citizens, to interfere with the internal affairs of a neighboring State, exposes itself to the danger of a rupture with that State, and furnishes just cause of complaint, and even of war. And these principles are said to apply to the different States of our Union, and to be enforced, rather than impaired, by the terms of our national confederacy.

* U. S. Constitution, Art. III. Sect. 3.

We desire it may be remarked, in the first place, that abolitionists have furnished no just grounds of complaint, under these principles, allowing them to be valid, in all the latitude that has ever been given them. **THE FACTS** of the case, as already set forth and substantiated, will sufficiently prove this. But it is not true, that any recognised principles of international law forbid the people of one State to examine and assail the institutions of another, with all the weapons of intellectual and moral warfare. Every Englishman claims and exercises the right of criticising the institutions of France. Every American claims and exercises the right of arraigning the despotisms of Turkey and of Russia—of expressing sympathy for the Greeks and the Poles. Any citizen of the southern States remarks freely upon the institutions of the North, points out what he considers to be defects, recommends such alterations as he deems proper, and predicts the probable results of political and moral causes. Gov. M'Duffie, for example, in his late Message, considers the *absence* of domestic slavery to be a capital defect in the institutions of the North. He predicts that agrarian anarchy, or military despotism, will be the result, unless **THE NORTHERN LABORERS* ARE MADE SLAVES**. He intimates the probability of the latter result within twenty-five years, and requests acts of legislation by the northern States, in conformity with these views. In doing this, he only repeats, officially, the sentiments frequently expressed before by southern citizens.† His example is exactly in point to prove, that citizens of the northern States have an *equal* right to publish their belief, that the *presence* of domestic slavery is a capital defect in the institutions of the *South*; to propose and recommend its abolition; and to predict the disastrous consequences, which in their estimation will be likely to ensue, unless this policy prevails.

If the principles of international law prohibit the exercise of *moral* influence by the people of one State, to reform the people of another, then mankind must be deprived of the benefit of mutual assistance, and the march of improvement must be stayed. Christianity must repeal her cardinal law of self-propagation. The Hebrew Apostles must not preach the gospel to every creature, and we must call home our missionaries, who are assailing the heathen and bloody institutions of the East. It ill becomes the South to proclaim the principles of international law, to

* The workingmen, some of whom we account able legislators, are now insolently required to reduce themselves to the brutal condition of Southern laborers.

† Mr. Leigh of Virginia uttered the same sentiment in 1829, during the debates on Slavery in the Convention of that State, for the amendment of the Constitution.

shield her from the *moral* influences of the North, in favor of freedom, at a crisis when so many of her own sons, by countenancing physical force, are seeking to interfere with the neighboring province of Texas, that it may once more become the mart of slaves.

PRINCIPLES OF COMMON LAW.

It has been intimated that the writers and circulators of Anti-Slavery publications are possibly liable to indictment, under the principles of Common Law. It may be useful, therefore, to glance briefly at a few of those principles.

‘The law favors liberty.’—*Wood—Coke*.

‘The inferior law must give place to the superior—man’s laws to God’s laws.’—*Noyes’ Maxims*, p. 6 and 7.

‘What is invalid from the beginning, cannot be made valid by the length of time.’—*Noyes’ Maxims*, p. 3.

In Blackstone’s Commentaries, Chitty’s edition, 1826, we read :—

‘The law of nature, being coeval with mankind, and dictated by God himself, is, of course, superior in obligation to any other. It is binding over all the globe; in all countries, and at all times. No human laws have any validity, if contrary to this; and such of them as are valid, derive all their force and all their authority, mediately or immediately from this original.’

And again,—

‘Those rights which God and nature have established, and which are therefore called natural rights, such as *life* and *liberty*, need not the aid of human laws, to be more effectually vested in every man, than they are. Neither do they receive any additional strength when declared by the municipal laws to be inviolable. On the contrary no human legislation has power to abridge or destroy them, unless the owner himself commit some act, that amounts to forfeiture.’ Introduction, Section 2.

Chancellor Fortescue, *De laudibus Legum* c. 42, p. 101., holds the following language :—

‘The law, therefore, which supports slavery, and opposes liberty must necessarily be condemned as cruel; for every feeling of human nature advocates liberty. Slavery is introduced through human wickedness; but God advocates liberty by the nature which he has given to man.* Wherefore, liberty torn from man, always seeks to return to him: and it is the same with every thing which is deprived of its native freedom. On this account it is, that the man who does not favor liberty, must be regarded as impious and cruel; and hence *the English law always favors liberty*.’

Now let any one, after reading the above extracts from *The Common Law*, judge whether the Abolitionists, by declaring the inalienable rights of man, and bearing testimony against Slavery,

* We wish the members of our Legislature to compare the sentiment above expressed by a Chancellor of Great Britain, with the language in the Emancipator, which was quoted by the Grand Jury of Alabama, in their indictment of R. G. Williams.

have subjected themselves (as has been intimated by a high authority) to the *condemnation* of Common Law.

That there is nothing in the Constitution of the United States, or in the principles of international and common law, by which Abolitionists, and their efforts can be condemned, is too evident to require further proof. It is equally manifest that the Abolitionists cannot be condemned, without condemning the spirit of the Constitution, and contradicting the primary principles of common law.

NATIONAL COMPACT.

We are told, however, of the *Compact* that was entered into by the several States when the Union was formed. In that compact we are sometimes told, it was agreed that the people of the North should say nothing about the Slavery of the South. Abolitionists, therefore, are accused of violating that sacred compact.

The Union was formed, either when the Old Articles of Confederation were entered into, or on the adoption of the present Federal Constitution. We have supposed that it was on the latter occasion. But in neither of these instruments do we find any *such* Compact, or Compromise, or Stipulation as has here been described. Instead of saying that there are some subjects, respecting which the people shall *not* freely speak, write and print, 'the Compact' of the U. S. Constitution expressly stipulates that *no such* 'compromise' *shall* be made by Congress, in any case whatever. If it be pretended that those who formed the Constitution, were induced to ratify it in consequence of some *other* 'Compact,' which has never been published to the world, we ask for the proof of the pretended fact. We ask further, what binding force there could be in a secret 'Compact,' concerning which the 'People of the United States,' who claim to have formed the Constitution of the U. States, were kept in ignorance, at the time, and up to the present period?

We ask for evidences of such a compact, from the minutes of the Convention that formed the Constitution, or in the proceedings of the different States by which it was ratified. In the absence of any such proof, we offer to produce evidence that *no such* compromise was made.

1. We prove it from the fact that the Constitution itself contains none. And this instrument is the *only* compact now existing between the several States in the Union.

2. We prove it from the fact that the people of the State of Rhode Island, in the very act of giving their ratification to the U. S. Constitution, not only stipulated for that general guarantee

of freedom of speech and of the press, which now stands at the head of the revised amendments of that instrument ; but in proposing an alteration of the Constitution respecting the Abolition of the Foreign Slave Trade, which has since been accomplished. In conformity, they took occasion to express the same opinion of 'slavery,' and of its '*continuance*,' which Abolitionists now express, declaring it 'disgraceful to the cause of liberty and of humanity.' This expression of Abolition principles, and this proposal of Anti-Slavery action were sent to the South by the State of Rhode Island, as a part of their *ratification* of the 'National Compact,' and it was not returned as an 'incendiary pamphlet,' by the people of the South. [See note C.]

3. We prove it from the fact that several of the most distinguished framers, and early expositors and advocates of the U. S. Constitution, engaged at the same early period in zealous Anti-Slavery efforts, without reproach for inconsistency from any quarter, in their own day.

John Jay of N. York, and Benjamin Franklin and Benjamin Rush of Philadelphia, were among the number of these. They formed an Anti-Slavery Society 'to extend the blessings of freedom to every part of our race.'* They published and circulated the Dialogue of Samuel Hopkins and the Sermon of Jonathan Edwards, both of which prove slaveholding to be a sin, and insist upon the duty of immediate emancipation. The recent republication and circulation of these same writings by Abolitionists, have comprised no small part of the effort, which is now declared to be incendiary, and a violation of the National Compact, discoveries which were never made by the framers of that Compact themselves, at the time when the circumstances of its formation were all fresh in their minds.

4. We prove it from the fact, that nearly all the States of the Union, including the Northern, were slaveholding States, when the Constitution was formed ; so that any stipulation of the kind, on the part of the South, would have been as unmeaning as on the part of the North.

5. We prove it from the fact that before, and after the adoption of the Federal Constitution, for a long period of time, the writings and speeches of Southern Statesmen, Civilians, Moralists and Philosophers were wont to contain as free strictures against slavery, as any for which Abolitionists are now charged with 'violating the compact.' Thomas Jefferson and Judge Tucker of Virginia, William Pinckney and Dr. George Buchanan of Maryland, furnish striking instances in proof of this assertion.

* Jay's Inquiry, page 151.

6. We prove it from the fact, that the U. S. Constitution was framed, not for the purpose of infringing the liberties of the people, but for more effectually securing them—whereas the Compact that has been supposed would amount to a relinquishment of *freedom*, for the sake of establishing the *Union*. *Such* an exposition of the Constitution should not be given to it by its friends: and we are unwilling to admit that in signing it, the people surrendered their essential liberties, which the Declaration of Independence had declared inalienable.

Finally, we are confirmed and strengthened in all these conclusions, by the fact that Mr. Calhoun himself, in his late Report in the U. S. Senate, on that part of the President's Message relating to the circulation of Anti-Slavery publications through the U. States mail, though finally recommending a palpable infringement of our Constitutional rights, is compelled, (for the security of *Southern State* rights) to admit the fundamental facts and principles for which we contend, insomuch that his own premises furnish the most unanswerable reasons for rejecting his conclusions. A brief extract will be sufficient to show this.

‘It is well known that great opposition was made to the adoption of the Constitution. It was acknowledged, on all sides, at the time, that the old confederation, from its weakness, had failed, and that something must be done to save the country from anarchy and convulsion; yet, so high was the spirit of liberty, so jealous were our ancestors of that day of power, that the utmost efforts were necessary, under the then existing pressure, to obtain the assent of the States to the ratification of the Constitution. Among the many objections to its adoption, none were more successfully urged than the absence in the instrument of those general provisions which experience had shown to be necessary to guard the outworks of liberty; such as the freedom of the press and of speech, the rights of conscience, of trial by jury, and others of a like character. It was the belief of those jealous and watchful guardians of liberty, who viewed the adoption of the Constitution with so much apprehension, that all those sacred barriers, without some positive provision to protect them, would, by the power of construction, be undermined and prostrated. So strong was this apprehension, that it was impossible to obtain a ratification of the instrument in many of the States, without accompanying it with the recommendation to incorporate in the Constitution various articles, as amendments, intended to remove this defect, and guard against the danger apprehended, by placing these important rights beyond the possible encroachment of Congress. One of the most important of these is that which stands at the head of the list of amended articles, and which, among other things, as has been stated, prohibits the passage of any law abridging the freedom of the press, and which left that important barrier against power under the exclusive authority and control of the States.

That it was the object of this provision to place the freedom of the press beyond the possible interference of Congress, is a doctrine not now advanced for the first time. It is the ground taken, and so ably sustained, by Mr. Madison, in his celebrated report to the Virginia Legislature, in 1799, against the alien and sedition law, and which conclusively settled the principle that Congress has no right, in any form, or in any manner to interfere with the freedom of the press. The establishment of this principle not

only overthrew the sedition act, but was the leading cause of the great political revolution which, in 1801, brought the republican party, with Mr. Jefferson at its head, into power.'

A careful perusal of the entire document will throw additional light on the subject. But this is sufficient to show that Congress, under the U. S. Constitution, possesses no power to pass laws restricting freedom of speech and of the press. It shows also the *reasons why* that power was not granted in the Constitution. It was because the spirit of liberty was high, and because the freedom of the people could not otherwise be secured.

FREEDOM OF SPEECH.

But the Constitutions of the *several States*, and of Massachusetts in an especial manner, contained provisions equally explicit, in guarding freedom of speech and of the press. It was not the *national* government alone that was restricted in its power by 'the spirit of liberty' that prevailed among our fathers. The power of restricting freedom of speech and of the press was withheld from the Legislature of MASSACHUSETTS, *for the same reason* that it was withheld from the GENERAL GOVERNMENT, and to *the same extent*.

Mr. Calhoun very justly concludes, that Congress can possess no power to pass the laws against the circulation of Anti-Slavery publications, the enactment of which was recommended by the President of the United States. And his reasoning is equally forcible to prove that the *State Legislatures* can possess no such power. And yet we conjure you to bear in mind that it is to the exercise, or rather *the assumption of this same power*, which Mr. Calhoun has shown to be *fatal to freedom* (if exercised by Congress) that our Legislature is invited, by the Communications from the Southern Authorities, which have been laid before that body by his Excellency the Governor of this Commonwealth! We cannot for a moment believe that the Representatives of a free people will be induced to comply with such unrighteous and despotic requisitions.

THE OFFENCE OF THE ABOLITIONISTS.

III. We claim, in the third place, that Abolitionists and Anti-Slavery Societies are guilty of nothing more nor less, than a consistent vindication and exercise of the fundamental, inherent, and *inalienable rights of man*, which no human Constitutions can either originate or annul, though they may protect or infringe. We claim that Abolitionists and Anti-Slavery Societies are engaged in a work, without which the liberties of mankind in gene-

ral, and of our laboring population at the North in particular, can never be secured. We claim that Abolitionists and Anti-Slavery Societies cannot be proscribed, either by penal enactments or legislative censure, without a proscription of the first principles of republican freedom ; without an act of legislative usurpation fatal, of necessity, (if tolerated) to the liberties and sovereignty of the people.

Our doctrine of inalienable Human Rights is the doctrine of our National Declaration of Independence. It is the doctrine of the Bible—‘ We hold these truths to be self-evident, that all men are created equal ; that they are endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness.’ We maintain this doctrine because it is unalterable *Truth*—not merely because it was proclaimed by our forefathers. We maintain it as a cardinal principle of the Christian religion, from the practical operation of which its incomparable morality results. That God has made of one blood all nations—that he has commanded each member of the human family to treat and regard each other member as a brother and as an equal, by loving him as himself: that each and every human being is *entitled* to this treatment for himself ; and is bound instantly and unceasingly to extend it to all others—this we maintain as one of the two great commandments, upon which ‘ hang all the law and the prophets.’ This doctrine comprises an essential part of our religion—the whole of our republicanism—the whole of our abolitionism. These terms, in our vocabulary, are synonymous and indivisible.

It is solely for defending and maintaining this doctrine, both in theory and practice that we stand accused. It is solely by doing this, that we have given offence to the slaveholders of the South. It is solely for this crime that the Southern Authorities demand that we should be condemned. It is precisely for this crime that their own statutes, as generally construed and understood, condemn to death or imprisonment whoever, among themselves, may call in question the righteousness and equity of the slave system. We claim, then, that the Legislature of this Commonwealth cannot comply with the Southern demands, either by penal enactments, or declaratory censures against us, *without condemning and abjuring the first principles of Christianity, and of civil and religious freedom*—without trampling upon the spirit and letter of our free Constitutions—without *denouncing men* for teaching the inalienable *rights of man* ! We ask whether our Representatives are prepared to do this ?

Were we accused of *denying and deriding* the inalienable rights of man, of teaching the innocency of despotism, and the

licentiousness and moral turpitude of *freedom*; were *this* the complaint of the Legislatures and Executives of the Southern States, we ask, whether their demands would, even *then*, be complied with? We ask, whether the Constitutions of our country would not shield us from legislative proscription, were *these* the crimes alleged against us, and if the proofs of our guilt were undeniable and unquestioned? And we ask again, whether, in the Commonwealth of Massachusetts, while the advocacy of *despotism* be held a venial offence, unknown to the laws, the *advocacy of freedom* can be a fit subject for legislative censure, or for penal enactment—and whether it can be held ‘indictable at common law?’

ALARMING PRECEDENT.

If Abolitionists have erred in vindicating the inalienable rights of their fellow men, and must be condemned and proscribed, for having dared to reprove unlimited despotism, we ask, what encouragement there will be left for *any other* men to vindicate the rights of *any* of their neighbors, when they find them under the rod of lawless and unrighteous power? And we ask, what security there will be for the liberties of mankind, when the principle is once established that it is ‘incendiary’ and ‘treasonable’ and contrary to ‘international and common law,’ for men to proclaim the precepts of righteousness, to plead the cause of the oppressed, to bear testimony against the oppressor? We ask, especially, what security will remain for the laboring classes of our free Commonwealth, if *legislative censure and proscription* are to be awarded to those who protest against the enforcement of involuntary labor without wages?

We ask, under what tenure the Liberty of Speech and of the Press will be held by the rest of the community, when they shall have been denied to Abolitionists? We ask, what liberties the people will retain when this shall have been sacrificed? We ask, what inherent right of human nature will remain inviolable, or will be worth contending for, or in what *manner* it shall be contended for, when ‘the liberty to know, to utter, to argue freely, according to the dictates of conscience,’ (so justly accounted by Milton, ‘above all liberties’) shall have been swept away? Most emphatically would we ask, what doctrine in religion or in morals may not be proscribed by penal enactments, if the great doctrine of human liberty itself may be thus proscribed?

LEGISLATIVE CENSURES WORSE THAN A PENAL LAW.

Much, however, as we should deprecate any such penal enactments by our Legislature as are recommended by the Legis-

lative Authorities of the Southern States, we should consider the expression of any Legislative censures upon Abolitionists by Resolutions or otherwise, as *still more* alarming usurpations ; as still more injurious and remediless violations of our own rights ; as more fatal to the liberties of this free Commonwealth.

The usurpation would be more flagrant, because our Representatives are elected, *not* to pass their *opinions* upon our *past conduct*, but to *enact laws* for our *future direction*.

The injury to ourselves would be greater for the same reason ; because it would have all the spirit and bearing of an *ex post facto* statute, without giving us the opportunity of escaping its effect, by pleading its unconstitutionality, or claiming a fair trial before judgment is pronounced against us. To injure us in our *character* is the most serious of *all* injuries, and the passing of condemnatory Resolutions against us would inflict upon us indirectly, yet effectually, the greatest of all penalties, without the intervention of a judge or a jury. Let us then be arraigned, if need be, as culprits, under the most rigorous espionage of our words and writings, that ever characterized the legislation of a Nicholas, or of a Spanish Inquisition ; but give us, at least, the opportunity of pleading and proving the facts of the case in our defence, (if indeed we may not be deemed innocent till our guilt shall be proved) *rather* than be committed to the tender mercies of 'five thousand' executioners of an extra judicial sentence.

In behalf of the Sovereign people of this free Commonwealth, in defence of the first principles of Constitutional liberty, in the sacred name of Justice, Religion, and of Law, for the preservation of social order and personal security, in this hitherto quiet and peaceful land—for the cause of holy freedom throughout the world and in all coming time—we do most earnestly and solemnly protest against such a monstrous assumption of judicial and more than inquisitorial power, on the part of the representative legislators of a professedly free people.

Should one of our judicial tribunals assume to punish either by the infliction of physical suffering or by the loss of character and reputation, any number of our citizens, who had transgressed no law, who had been arraigned for no crime, who had been proved guilty of no misconduct, who had been allowed no opportunity of defence ; and should their award be put in immediate execution without allowing opportunity on the part of the victims to say why sentence should not be pronounced, or to petition for a respite or a pardon, should the execution of the sentence be committed to the populace, without any restriction in

respect to the kind, the amount, or the manner of the punishment, the sufferers would be placed very nearly in the same condition in which abolitionists, under existing circumstances, would be placed, by the passage of legislative resolutions condemning their principles or their conduct.

The wound inflicted on general liberty, and the rights of the people, in the case we have first supposed, would, however, be less dangerous than in the latter.

The Court would be guilty of *less usurpation* than the Legislature, because the Court *was* appointed for the purpose of deciding upon the actions of individual citizens, whereas *no such* trust had ever been committed to the Legislative authorities.

The careful *separation* of the Legislative and Judicial powers, has ever been considered one of the most essential safe guards of freedom: And nothing could be more fatal in a republic, than the Legislative assumption of Judicial power. How much more so, when, in the *virtual* exercise of that power, its *mode* of action would be such as to shield it from correction, and when the *extent* and vagueness of its exercise would so far transcend the limits assigned to all regular judicial proceedings.

PECULIAR DANGER OF OUR TIMES.

In *one other* aspect of the case, the passage, in any form, of *legislative censures* upon Abolitionists, at the present crisis, would augur more unfavorably to the continuance of personal security and general freedom in the free States, than any other encroachment upon the rights of the citizens, that can easily be conceived. The present period is one, when direct and *severe penal enactments* against a portion of our northern citizens, for the exercise of their *indisputable Constitutional rights*, is not only loudly demanded by the Southern States, on pain of dissolution of the Union on their part, but when the demand meets with a cordial response among northern civilians, (not to say theologians) whose legal opinions on this point are found to be thought deserving the attention and quotation of our northern Executives, in their communications to the legislative bodies, whose deliberations they direct, and when, in some instances, the *right* of the State Legislature to enact laws, is, in such communications, explicitly maintained.

It cannot be thought indecorous in a free people, who proverbially 'snuff the approach of tyranny in every tainted breeze,' to watch the indications of such a period with somewhat more than usual vigilance. The *fact* that public sentiment seems hardly ripened,

yet, for a compliance with these demands for penal laws, would seem to indicate the policy of those by whom the measure is desired. To bring the public feeling against the Abolitionists to the highest possible point of excitement, and more than all, to gain a general credit to the injurious charges now alleged against them, would be their only hope of success. For this purpose what weapons would be so *effectual* as the repetition of those charges by the *Legislature of this Commonwealth*. To effect this purpose, the effort would naturally be made. Suppose it to be accomplished, their work is more than half performed. If the Legislature can be prevailed upon to endorse the Southern accusations of 'incendiarism' and 'treason,' the people may be induced to believe it true; and under this belief, united with the fear of national disunion, may be prevailed upon to forget the danger of sacrificing freedom on the altar of Union, and consent to the proposed legislation.

THE PLOT.

Suppose, then, some 'penal enactment'—cautiously and vaguely framed against '*sedition and incendiary publications*,' in an evil hour, some year or two hence, by artifices like these, should become a law of this confiding Commonwealth of free-men. Let us look at the bearing of the *previous Resolutions*, upon the operation of such a law.

Here then, is a statute against '*sedition and incendiary*' publications. What next? By looking back upon the legislative records of Massachusetts it is there found that in 1836 the '*publications*' of Abolitionists were legislatively pronounced by formal Resolutions to be '*sedition and incendiary*.' And in 1837—or 8—the Legislature of the same State has passed a law against '*sedition and incendiary publications*.' What should we then have? In the first place, a distinct portion of citizens, a well defined number of *individuals*, legislatively pronounced guilty of a *certain act*—certain *writings* of theirs declared to be of a *certain character*. In the next place, we should have a statute framed against all writings *possessing* that character—and against all persons by whom they are circulated! If here be not the most dangerous blending of judicial and legislative powers in the Legislature—if here be not the marking out of victims for sacrifice, first pronouncing them guilty, and afterwards framing laws for their punishment, we ask for the narration of a procedure which should come under such a description. And we ask how the liberties of a people can survive such a process?

PROVINCE OF THE LEGISLATURE.

We likewise respectfully submit, whether it belongs to the *legislative* authorities of this Commonwealth to *decide*, whether Anti-Slavery publications are '*calculated* to excite an insurrection among the slaves'—and whether their circulation is 'a misdemeanor at common law'? If this power *does* appertain to the Legislature, we ask whether, in becoming a *judicial* body, it will not be bound to proceed on judicial principles, and according to judicial forms? And whether, in this case, the passing of extra-judicial *Resolutions*, against Abolitionists in the gross, would consist with the impartial trial of individuals when arraigned?

CUI BONO?

IV. We urge against a compliance, in any manner or degree, on the part of the Legislature, with the official demands now before it from the South, the **FUTILITY** of the **MEANS** they recommend, for the accomplishment of any **OBJECT** deemed desirable by themselves or others, unless it be the subjugation of the North to the South. We urge, in the same connexion, the **ILL EFFECTS** that the adoption of such a system of means and efforts would be calculated to produce, or which would result from their success.

We conjure the Legislature to consider, that neither *penal enactments*, nor *condemnatory resolutions*, would silence the Abolitionists—nor diminish their numbers—nor extinguish abolitionism—nor arrest the progress of Anti-Slavery principles—nor allay the present excitement—nor stop the process, nor impair the power of Anti-Slavery discussion—nor prevent the abolition of slavery—nor add to the security of our Federal Union—nor tend to harmonize the people of the North and South.

1. *They would not silence Abolitionists.*—Desirous as they are to comply with human laws, when their consciences will permit, they have learned to obey **GOD** rather than *man*, when their requisitions conflict with each other. They have learned the principle of 'common law,' which affirms—'The inferior law must give place to the superior—*man's* laws to **GOD'S** laws.—If, therefore, any statute be enacted contrary to these, it is of no authority in the Laws of England.' [Noyes' Maxims—vide Stuart's life of Granville Sharp, p. 85.] They understand the distinction between rebellious, physical resistance to the execution of unjust laws, and peaceful, quiet, Christ-like submission to the infliction of their penalties. They will never become insurgents for the promotion of their objects; nor relinquish those objects to escape martyrdom, when either a le-

galized or a lawless persecution shall call them to the discharge of that high duty. It is a fundamental part of their religion, to 'plead for the poor and needy'—to 'remember them that are in bonds as bound with them'—to 'open their mouth for the dumb'—to 'cry aloud, and spare not, and lift up their voice like a trumpet, to show the people their transgression, and the house of Jacob their sins.' From these duties, they can never abstain, while they have power to discharge them.

2. *They would not diminish their numbers.*—History has informed us, that 'the blood of the martyrs is the seed of the church.' And little, indeed, does he know of human nature, who supposes that a cause can be permanently injured, or the propagation of opinions suppressed, in any age or nation, still less in our own, by the arm of legislative persecution. Much more strongly do these considerations apply, when it is remembered, that the persecution of Abolitionists would be a persecution of the first principles of freedom—the punishment of men for vindicating the rights of the people—the infliction of suffering for the benevolent effort to relieve it—the oppression of freemen for their vindication of the oppressed—the exercise of tyranny to repress testimony against tyrants. Marvellously obtuse must be the intellects of a people, whose sympathies with the victims of *such* a persecution should not be enforced by their alarm for the security of their own freedom.

3. *They could not destroy Abolitionism.*—Abolitionism is no material substance, that can be destroyed by physical force. It can neither be confined in a prison—nor pierced through with a steel blade—nor be penetrated with a leaden bullet—nor burned up in the flame. 'Many waters cannot quench it, nor the floods drown it.' To annihilate it would be the annihilation of holy love—to chain it would be chaining the affections of the immortal soul. The extinction of abolitionism would require the annihilation of human sympathy, the prostration of eternal principles, the revocation of God's moral government. How impotent would be the united forces of all the civil governments on the earth to effect this! Xerxes is said to have attempted to bind the ocean with chains. Madmen have imagined themselves able to blot out the sun. But to stifle the gushings forth of the free human heart in its breathing desires, that *all men* may be free, is an enterprise of which Xerxes never dreamed; it is a conception too wild for lunacy itself. We ask, whether projects like these can be planned in the Senate Chamber, and adjusted in the Hall of Legislation, with the expectation of success?

4. *They could not arrest the progress of Anti-Slavery principles.*—The truth or falsehood of those principles must depend upon their own inherent merits. Their truth or falsehood must be determined by intuitive perception, by the power of conscience, by the clearness of illustration, by the weight of evidence, by the force of argument. But there is nothing in legislative resolutions or enactments adapted to these ends. A resolve respecting abolition principles would neither change their character, nor close the eyes of those who choose to look upon them. A legislative enactment could no more alter a moral truth, than it could change a mathematical theorem. To legislate upon the reality of alleged existing day-light, and of alleged existing principles, would be equally nugatory and unmeaning. A legislative decision would not bind the conscience. The forms of law afford no illustration in the premises. A writ, and a constable at the heels, or on the shoulder of an Abolitionist, would supply no evidence against his statements or his principles. There would be no logic in the walls of a prison to confute his reasonings. The dungeon would emit no additional illumination on the disputed question. Gibbets are not arguments. Racks cannot force men's conclusions. Torture reclaims not the sufferer from his heresy. It guards not the spectator from the infection. Death itself destroys neither the heretic nor the heresy. It transfers the former to an unearthly jurisdiction, and plants the latter in a fresh soil, nurtured by blood, to bring forth fruit an hundred fold.

5. *They could not allay the present excitement*—for the prevention or removal of which, the suppression of abolitionism has been so confidently demanded. *The excitement* has hitherto been exclusively confined to the *opponents* of Abolitionists, if by that term be meant to express trepidation, or phrenzy, or a disposition to commit acts of violence. But it is to be feared, that if the persecution of *Abolitionists* is to be prosecuted by further encroachments upon the freedom of the *people*, a class of persons who cherish not our pacific principles will be aroused, to stand up in self-defence, and thus an excitement may be created, more dangerous to the public peace than any in which the violence of the *one* party, (as in all instances hitherto) has been gently allayed, if not ultimately disarmed, by the quiet non-resistance of the *other*.

6. *They could not stop the progress of discussion.*—The bare mention of legislative enactments against the Abolitionists has doubled, within a short time, the amount of anti-slavery discussion. Yet most of the community believe such legislative pro-

ceedings impossible. Let legislative action take place, and all apathy would be dispelled. The discussion would be in the mouth of every one; and all who intend to retain liberty would take sides with the Abolitionists. They would *then* see, that all the dangers to general freedom from the existence of partial bondage, which Abolitionists had previously set forth, were no fictions of fanatical delusion. They would see their fears more than realized. They would perceive that the opponents of Abolitionists were the enemies of freedom. And hence,—

7. *They could not prevent the Abolition of Slavery.*—They could but increase the power of anti-slavery efforts, without adding any permanent strength to the influences which, go to support and foster it. If the South does not succeed in the utter subjugation of the North, and in the proposed reduction of the Northern laborers to the condition of Southern slaves, it is most manifest that legislative action against Abolitionists, by the Legislatures of the North, could have no possible tendency to secure the perpetuity of the slave system: because so glaring an attempt upon the liberties of the Northern laboring people, if it should really be seconded by Northern legislative action, and yet fail of success, would—

8. *Add nothing to the security of the Federal Union.*—Slavery is at present supported by this Union. The North returns, by stipulation, the fugitive slave. The North is constitutionally bound to assist in suppressing a servile insurrection. But an unsuccessful attempt on the part of the South, to enslave or subject the great body of the people of the North would tend—

9. *To destroy all remaining harmony between the people of the North and of the South.*—The Union would be endangered. The peace of the Nation would be jeopardized. The props of slavery would be removed—not in the manner, nor by the agencies, nor with the prosperous tendencies, that Abolitionists propose and desire—but by a process, the dangers of which they are anxious to avert. They are convinced that slavery must soon fall. They wish it to be done by moral means, not by political commotion: by the free act of the masters themselves—not by a concurrence of causes which it is impossible for them to evade.

FATAL RESULT.

Unless, therefore, our Representatives consider it a desirable and feasible object (as we confidently believe they *do not*,) to carry out into full and successful execution, all the objects proposed in the message of Governor M'Duffie, including the in-

roduction of the institution of domestic slavery among the 'bleached or unbleached' laborers of the North, we entreat them to adopt *no part* of the policy recommended by the Legislative and Executive Authorities of the South, for the attainment of these objects. If the plan cannot be carried into complete execution, it will prove an entire failure, producing an unparalleled excitement, a tremendous and overwhelming reaction, ruinous to the interests it was intended to guard, and affording no possible benefit to the nation at large, or to that section of the country, for the especial benefit of which it was designed.

We claim, moreover, that any such legislative action as the Authorities of the Southern States have desired, whether successful or unsuccessful in respect to the great object they have proposed, so far from producing any real and lasting benefit to any section of the country, would produce incalculable and permanent evils:—and above all, that its efficacy and success would be identical with the downfall of liberty, and could only be secured at the expense of the freedom of a great nation.

Such action would, in itself, be a violation of our National and State Constitutions. It would outrage inherent and inalienable rights. It would terminate the ascendancy of civil and religious freedom. It would tend to anarchy, civil war, and military despotism. It would either produce a convulsive and dubious struggle for liberty, or bury freedom under the rubbish of imbecility, indolence and inaction.

SUBJUGATION OF THE NORTH.

V. In the fifth place, we plead the *unlimited despotism of the Southern demands*, as a reason why no legislative countenance should be given to them. We claim that the *objects avowed* by the Executive and Legislative Authorities of the southern States, according to their own abundant exposition of them, is nothing more nor less than the *subjugation of the free laboring population of the non-slaveholding States* to a despotism, no less appalling than that to which the *laboring population* of the South are now subject.

The system of southern slavery is obviously based upon the assumption that the *laboring portion* of a Commonwealth cannot safely be entrusted with their freedom. It is plain from the alarming prevalence of this gratuitous assumption, that the impression has so extensively been given that there would be *danger* in making the laborers of the southern States *free*. And it is equally self-evident, that no statesman desiring the continuance

of American Slavery, can desire the white *laboring population* of America to retain their freedom. Accordingly we find the intelligent Virginian Statesman, Mr. Leigh, at the Convention in that State, several years since, distinctly denying the capacity and right of the laboring people of any community to a participation in political power.

That the principles of free and slave labor can never cease to conflict with each other, and that ultimately, the one or the other must exclusively prevail in this land, seems too evident to require proof. And that the statesmen of the South, who adhere to the slave system, will not seek the extension of the same policy throughout the States, it would be weakness and folly to presume. On this point, however, we are not left to conjecture. In the late Message of Gov. McDuffie to the Legislature of South Carolina, the object is *distinctly, and openly avowed*. He emphatically declares, and the Legislature of that State *unanimously* responds to the declaration, that 'Slavery is the Corner Stone of our republican edifice.' And if he means *Southern* republicanism—*such* republicanism as prevails *there*, and the *influence* of which is not confined by geographical bounds, he speaks the truth. He declares, that the rights of property cannot remain safe, where the laboring classes possess political power. He contends, that domestic slavery is the happiest and best condition of a laboring population. He distinctly avows that the trivial incident of *color* does not come into the account, and forms no part of the consideration. He evidently, though indirectly, appeals to the wealthier classes in the northern States, in the suggestion of these views, and in his appeals for northern legislative action on this subject. He predicts, that the adoption of the institution of domestic slavery by the northern States, within a quarter of a century, will be their only security from 'robbery, anarchy, and military despotism.' He demands the prompt suppression of Abolition publications in the non-slaveholding States, on the ground that a majority of the people of the North will become Abolitionists, *if permitted to read them*. He characterizes them as an 'ignorant multitude,' and deprecates the period when they shall 'rise to a gigantic power, too mighty to be resisted by all the influence and energy of the Government.' And, finally, to prevent so disastrous an event as the practical sovereignty of **THE PEOPLE**, he demands that **THE PEOPLE** *shall not read the publications* which remind them of their rights, and invite laboring classes to vindicate the rights of the oppressed laborer.

A full and careful perusal of the entire document, to which

we refer, will give a more vivid impression of the truth and importance of these allegations, than it is in our power otherwise to make. Yet a few extracts may suffice to show, that they are not made without proof.

‘ Since your last adjournment, the public mind throughout the slaveholding states, has been intensely, indignantly, and justly excited by the wanton, officious and incendiary proceedings of certain societies and persons in some of the non-slaveholding states, who have been actively employed in attempting to circulate among us pamphlets, papers, and pictorial representations of the most offensive and inflammatory character, and eminently calculated to excite them to insurrection and massacre. These wicked monsters and deluded fanatics, overlooking the numerous objects in their own vicinity, who have a moral, if not a legal claim upon their charitable regard, run abroad in the expansion of their hypocritical benevolence, muffled up in the saintly mantle of Christian meekness, to fulfil the fiend-like errand of mingling the blood of the master and the slave, to whose fate they are equally indifferent, with the smouldering ruins of our peaceful dwellings. No principle of human action so utterly baffles all human calculation, as that species of fanatical enthusiasm, which is made up of envy and ambition, assuming the guise of religious zeal, and acting upon the known prejudices, religious or political, of an ignorant multitude.’

* * * * *

‘ The experience of both France and Great Britain, fearfully instruct us from what small and contemptible beginnings this *ami des noirs* philanthropy may rise to a gigantic power, too mighty to be resisted by all the influence and energy of the government.’

* * * * *

‘ The government of our slaves is strictly patriarchal, and produces those mutual feelings of kindness on the part of the master, and fidelity and attachment on the part of the slave, which can only result from a constant interchange of good offices, and which can only exist in a system of domestic or patriarchal slavery. They are entirely unknown either in a state of political slavery, or in that form of domestic servitude which exists in all other communities.’

* * * * *

‘ No community ever has existed without it, and we may confidently assert none ever will. In the very nature of things THERE MUST BE CLASSES OF PERSONS TO DISCHARGE ALL THE DIFFERENT OFFICES OF SOCIETY FROM THE HIGHEST TO THE LOWEST. Some of these offices are regarded as degrading, though they must and will be performed. Hence those manifold forms of dependent servitude which produce a sense of superiority in the masters or employers, and of inferiority on the part of the servants. Where these offices are performed by members of the political community, a dangerous element is obviously introduced into the body politic. Hence the alarming tendency to violate the rights of property, by agrarian legislation, which is beginning to be manifest in the older states, where universal suffrage prevails without domestic slavery; a tendency that will increase in the progress of society, with the increasing inequality of wealth. No government is worthy the name that does not protect the rights of property, and no enlightened people will long submit to such a mockery. Hence it is that in older countries different political orders are established to effect this indispensable object, and it will be fortunate for the non-slaveholding states, if they are not, in less than a quarter of a century, driven to the adoption of a similar institution, or to take refuge from robbery and anarchy, under a military despotism.

But where the menial offices and dependent employment of society are performed by

domestic slaves, a class well defined by their color and entirely separated from the political body, the rights of property are perfectly secure, without the establishment of artificial barriers. In a word, **THE INSTITUTION OF DOMESTIC SLAVERY SUPERCEDES THE NECESSITY OF AN ORDER OF NOBILITY**, and all the other appendages of a hereditary system of government. If our slaves were emancipated, and admitted, bleached or unbleached, to an equal participation in our political privileges, what a commentary should we furnish upon the doctrines of the emancipationists, and what a revolting spectacle of republican equality should we exhibit to the mockery of the world! No rational man would consent to live in such a state of society, if he could find a refuge in any other.

Domestic slavery, therefore, instead of being a political evil, IS THE CORNER STONE OF OUR REPUBLICAN EDIFICE. No patriot who justly estimates our privileges, will tolerate the idea of emancipation, at any period however remote, or on any conditions of pecuniary advantage, however favorable. I would as soon think of opening a negotiation for selling the liberty of the State at once, as for making any stipulations for the ultimate emancipation of our slaves. So deep is my conviction on this subject, that if I were doomed to die immediately after recording these sentiments, I could say in all sincerity and under all the sanctions of Christianity and patriotism, 'God forbid that my descendants, in the remotest generations, should live in any other than a community having the institution of domestic slavery, as it existed among the patriarchs of the primitive Church, and in all the free states of antiquity.'

If the Legislature should concur in these general views of this important element of our political and social system, our confederates should be distinctly informed, in any communications we may have occasion to make to them, that in claiming to be exempted from all foreign interference, we can recognize no distinction between ultimate and immediate emancipation.'

* * * * *

'It is in this aspect of the subject that it challenges our grave and solemn consideration. It behooves us, then, in my opinion, to demand, respectfully, of each and every one of the non-slaveholding states,

1. A formal and solemn disclaimer by its legislature, of the existence of any rightful power, either in such state or the United States in Congress assembled, to interfere in any manner whatever, with the institution of domestic slavery in South Carolina.

2. The immediate passage of penal laws by such legislatures, denouncing, against the incendiaries of whom we complain, such punishments as will speedily and forever suppress their machinations against our peace and safety.'

Inviting the attention of the Legislature to these extracts, we ask whether, in view of them, it be not manifest that the *object* of the Southern Legislatures and Executives, *according to their own showing*, does not comprize *the entire subjugation of the laboring northern population* to a condition resembling that of the laboring classes in the South? And whether the means suggested by them for the *accomplishment of such a result*, be not the same course of legislative action at the North, which the Official Communications from the South, now pending before the Legislature for consideration, so importunately demand? And we ask, whether the Legislature of a free Commonwealth, are prepared to comply with these demands, or re-echo the *sentiments* which gave birth to them?

And we further invite the attention of the Legislature to the recent Report of Mr. Calhoun, in the Senate of the United States, for additional evidence of *the fact*, that the statesmen of the South desire the liberties of the northern people *to be* restricted in a *manner* and to an *extent*, which Mr. Calhoun, in that Report, has himself shown is not warranted by the Constitution of the United States, and could only be extended by the exercise of a power which the people of the United States could not vest in their own Representatives in Congress, without a surrender of their freedom. We ask special attention to the additional fact, that the Report of which we now speak, after having ably and unanswerably sustained these grounds, proceeds to point out a method, according to which the liberties of the northern people, by the showing of the same Report, will be *equally* restricted, *not* by the Representatives of their own choosing, but by the Legislatures of the Southern States, over whom they exercise no control. We ask, whether further confirmation is needed to our assertion, that the demands of the South are nothing more, nor less, than a demand for the utter subjugation of the northern people to the unlimited despotism of the South? And we again ask, whether the Representatives of Massachusetts are prepared for the expression of any sympathy, either with these claims; or the views upon which they are based?

PROSCRIPTION.

The unlimited despotism of the Southern demands might likewise be shown, by adverting to the fact, that the description of publications required to be proscribed by the Legislature, would include a large portion of the current literature of our language, whether of domestic or foreign origin—whether written by living Abolitionists, or by philanthropists of other ages. The Message of Gov. McDuffie expressly says:—‘In *claiming* to be exempted from all foreign interference, we can recognize no distinction between *ultimate* and *immediate* emancipation.’

It is easy to see, that a large majority of our literary, theological, commercial, and mercantile periodical newspapers and magazines, would come under the ban of proscription—and that the *principle* which applies to the writings of *immediate* Abolitionists, would equally apply to all writings which favor the *ultimate* extinction of slavery. We ask, in what portion of the Old World the *principle* of proscription, for the expression of opinion, has been carried farther than in this demand? And we ask, by what authority, or on what doctrines of civil and religious

freedom, the Legislature will proceed, should they pass condemnatory Resolutions against immediate, and not against gradual emancipationists, and their writings ?

AGGRESSIONS UPON THE NORTH.

VI. We claim that the present condition of **NORTHERN FREEDOM**, and the encroachments of Southern aggression, are such as to forbid any further compliance with their unappeasable demands. So far from the existence of any reasons for legislative action in the Northern States, for the defence of the rights of the South, we affirm the existence of aggressions by the people and authorities of the South, upon the liberties and rights of the citizens of the North, and in open violation of the Constitution of the United States, to be most alarming in their character, loudly requiring remonstrance from the people of the North. Many of these aggressions are of long standing, and originated a long time previous to the existence of any of those movements at the North, which are now considered as furnishing grounds for precautionary and defensive enactments at the South.

The Constitution of the United States, secures to the citizens of each state, the right of peaceful and unmolested sojourn in the Territories of every other State in the Union. But under the operation of Southern legislative enactments, or City and Municipal regulations, the free citizens of the North, if guilty of a colored skin, are liable to be seized and imprisoned. And, unless they can prove, by white witnesses, that they are not slaves, they are sold into perpetual bondage, and their posterity forever enslaved !

The cook, or steward, or seaman, or passenger, on board a Northern merchant vessel, though a freeman and a voter of Massachusetts, and equal here in the eye of the law, to our most distinguished and gifted citizens, on arrival in some of the ports of the Southern States, is immediately dragged (if a colored person) from on board the vessel, and lodged in prison until the vessel is ready to depart.

The master of any vessel belonging to the North, on board of which any colored person, in some of the Southern ports, shall secrete himself, (without the knowledge of the master or crew,) is liable, according to the Southern laws and usages, to severe and even capital punishments ; the law presuming him to be *guilty* unless his innocence can be *proved*. [See Note E.]

In pursuit of their fugitive slaves, the people of the South are accustomed to visit the North, and claim whom they please among our colored citizens as slaves. The trial in most, if not all of our northern cities, is conducted in the most loose and summary manner, to the evident hazard of the liberties of the free. In most, if not all our northern States, the whole matter is decided without a jury-trial, and the question of the freedom or slavery of a man, claiming to be a free citizen, is often decided without the solemnity of investigation required in the case of a claim to a sheep or a swine! Free citizens of the North, and sometimes *white* persons,* have been claimed and carried to the South as slaves, under the operation of these laws. We affirm that the Constitution of the United States, although it *does* provide for the delivery of 'persons held to labor or service at the South,' *does not* provide for this summary process of deciding who are, and who are not, thus held to service; and we plead that northern legislators would be better employed in providing *new securities* for the freedom of their citizens, than in complying with the demands of those, who declare them 'a dangerous element of the body politic,' and recommend their enslavement.

It is now five or six years since the Senate of one Southern State, and the Governor of another, adventured to offer a large reward for the abduction and delivery of a citizen of Massachusetts, guilty of no crime, to be tried under their laws. [See Note D.] This was before any Anti-Slavery Societies had been formed,—before the South had been extensively supplied with Anti-Slavery papers. And yet no official remonstrance, within our knowledge, has been made by the authorities of this Commonwealth. At the present time, and during the past year, different citizens of the South have offered large sums for the abduction and delivery of citizens of Massachusetts to their 'Vigilance Committees,' for the avowed purpose of assassination without the forms of civil law. Against these 'interferences' with our 'domestic affairs,' we do not perceive that the guardians of our Commonwealth have made any demands or remonstrances to the state authorities of the South.

A CONTRAST.

We ask, whether the peaceful request of a Northern freeman, that his southern fellow-citizen may extend freedom to his slave, is '*an interference with the South*,' which calls for northern legislative action for its punishment and suppression;

* See the cases of Mary Smith, a colored woman of Boston—and Mary Gilmore, a white girl of Philadelphia.

while the offer of a bounty for the kidnapping and *murder of free northern citizens*, on the part of the citizens (not to say the governments) of the South, is considered and treated as no interference at all?

We ask, whether 'the principles of international law' permit the citizens of the Southern States, to offer rewards for the assassination of the citizens of the Northern States, while they forbid the citizens of the Northern States to address, in a peaceable manner, the citizens of the South, on a subject of moral and Christian duty?

We ask, whether the lives and liberties of her free citizens are of less value and importance to Massachusetts, than are the continued debasement and bondage of her laboring poor, to the State of South Carolina, of Georgia, or of Alabama?

We ask attention to the extent and magnitude of these encroachments on our rights. In one half of the States of this national Union, in the District of Columbia itself, we may not travel, except at the peril of our lives. Should the sentiments of their own Pinckney and Jefferson unwarily fall from our lips, or unknown to ourselves, be found upon us in the paper linings of our trunks, or coverings to our packages and books, our Southern brethren deem us worthy of public stripes, and bid us mark the clemency that spares our lives. [See Note F.]

We pay for the support of United States Mail. We may use it only at the discretion of our Dictators. We may use it, at the option of ten thousand censors of the Press. We may use it for every purpose, except for conveying the glorious doctrines of human freedom. This is the privilege which the Slavery of the South condescendingly extends to us.

We ask repeated attention to the fact, that citizens who plead for *ultimate* and *immediate* emancipation, are equally denounced as subject to these pains and penalties of the South.

A FEW PLAIN QUESTIONS.

We ask, how long this state of things can be in silence submitted to, without that entire subjugation of the North to the South, which the Message of Gov. M'Duffie, and the Report of Mr. Calhoun, so explicitly demand; and which the previously expressed opinions of Southern Statesmen, concerning the danger of permitting a laboring population to be free, had given us every reason to anticipate beforehand?

We ask, at what point the policy of passive submission to Southern encroachment and aggression is to stop? Or whether it is to stop at all?

We ask, with what face, or upon what principle, our Legislature shall set any bounds to the aggressions of the South, after

it shall have surrendered freedom of speech and of the press at her bidding?

We ask, how they can retrace their steps, after they shall have joined the clamor of the South, in declaring the doctrines of liberty 'insurrectionary, incendiary, and treasonable?'

WHAT WE REQUEST.

We do *not* ask the legislators of our Commonwealth to put on the blustering airs of the South—to repay insult with insult—to repel aggression with threats of aggression. We ask no war-like preparations for the preservation of peace—no threats of dissolving the Union to prevent its dissolution—no infringements of the Constitution to preserve it from violation. But we do ask our Representatives, firmly, yet kindly, to point out to the Southern authorities, the usurpations of the South, in reply to her arrogant and insulting demands. We do ask them to deal honestly with the South, and faithfully with their own constituents. We do ask them to bear testimony to the truth—to disabuse the public mind, at the North and at the South. We do ask them to maintain and assert the doctrines of freedom—the practices of righteousness. We ask them to seek the peace of the nation, not by joining hands with oppressors, not by having respect to persons, not by 'subverting a man in his cause,' but by a manful and conscientious adherence to the *Right* and the *True*, unawed by threatening, unbiassed by fears, unseduced by favor, undisturbed by clamor. For ourselves and for our country, for the cause we advocate, and for the down-trodden poor, we ask nothing at the hands of our legislators but these reasonable requests. We ask them to acquit their own consciences, in the full view of the considerations and facts we have presented; we ask nothing more.

By order of the Board of Managers of the Massachusetts Anti-Slavery Society.

JOSEPH SOUTHWICK,	} COMMITTEE.
SAMUEL J. MAY,	
ELLIS GRAY LORING,	
SAMUEL E. SEWALL,	
WM. LLOYD GARRISON,	
CHARLES FOLLEN,	
AMOS FARNSWORTH,	
FRANCIS JACKSON,	
WILLIAM GOODELL,	

NOTES.

NOTE A.

PACIFIC PURPOSES OF THE ABOLITIONISTS.

'Our objects forbid the doing of evil that good may come, and lead us to REJECT, and ENTREAT THE OPPRESSED to reject, the use of all carnal weapons for deliverance from bondage; relying *solely* on those which are spiritual, and mighty through God to the pulling down of strong holds.' * * * * They 'shall be only such as the opposition of moral purity to moral corruption—the destruction of error by the potency of truth—the overthrow of prejudice by the power of love—the abolition of slavery by the spirit of repentance.'—*Declaration of Convention at Philadelphia, December, 1833, which formed the American Anti-Slavery Society.*

'The most effectual mode of PRESERVING TRANQUILLITY among the slaves of the south, will be a knowledge of the fact, that efforts of a *peaceful* and *christian* kind are making in their behalf. Just in proportion as such efforts are urged, and give hope to the slaves, that the time of their deliverance draws nigh, will be their patient continuance in their present state—lest an act of indiscretion in them defeat what has been already gained, mortify their friends, and discourage them from making renewed exertions. I doubt not the tranquillity of the British West Indies, so far as it was preserved for the last ten years, was secured by the influence of the philanthropists of the mother country. *The slaves with whom I have conversed on the subject of the PRESENT EFFORTS have, without exception, looked upon their sober and peaceful demeanor as an essential contribution on their parts to success.*'—James G. Birney's Letter.

'We must speak out *kindly* and fully; and in such a country as this, and in such an age as this, the effect must follow. Let our ONLY weapons be TRUTH and KINDNESS, and by the BLESSING OF GOD the cause must sooner or later triumph.'

'O ye slaves whom massa's beat!
Ye are stained with guilt within,
As ye hope for mercy sweet,
SO FORGIVE YOUR MASSA'S SIN.'

Anti-Slavery Record.

The New-England Anti-Slavery Society was the first formed. In the preamble to its Constitution we find the following :

'While we advance these opinions as the principles on which we intend to act, we declare that we will not operate on the existing relations of society, by other than peaceful and lawful means, and that we will give no countenance to violence or insurrection.' Again, the 2d Article in the Constitution is as follows—'The objects of the Society shall be to endeavor, by all means, *sanctioned by law, humanity and religion*, to effect the Abolition of Slavery in the United States,' &c.

'We now proceed to the inquiry of those, who demand of us by what means we propose to accomplish our purposes? We answer, by means precisely like those which have been employed with so much effect towards the subversion of Intemperance. We propose to circulate Tracts urging upon the consciences of our fellow-citizens the heinous wickedness of Slavery—exposing the perpetual injustice, and the occasional cruelties which are tolerated and enforced by the laws of our land—exhibiting also without a veil the loathsome vices, which are prevalent wherever the institution of Slavery is upheld. * * *

'Thus it will be seen that we rely wholly on *moral power*—the *power of the truth*. Who is there that will dare say this is not a proper, legitimate, Christian-like, republican mode of proceeding? Is not this the mode provided in the very Constitution of the United States, by which we are to correct the evils, that may exist under the government, of which that Constitution is the basis; or even to amend the defects of that instrument itself? Is not the freedom of speech and of the press secured to us in that charter of our liberties? Is it not acknowledged by all, who understand the genius of a republican government, that the right of thinking for ourselves, and of speaking, writing and printing our opinions, is fundamental? Without this, the evils, which are incident to this form of society, cannot be corrected; no—nor our freedom long preserved.'—*[First Annual Report of the Providence (R. I.) Anti-Slavery Society.]*

'God forbid that we should stir up the oppressed to wreak vengeance on the heads of their masters. The more slaves are enlightened and christianized, the better they will appreciate the folly, as well as madness, of attempting to seize upon their rights through the blood and flames of a servile war. The power of correct principles to prevent bloodshed, is seen in the fact, that in the insurrection at Jamaica, none of the Christian negroes were found among those who were engaged in scenes of violence.'—*[Address of the New-York City Anti-Slavery Society to the people of the city of New-York.]*

In the Constitution of the American Anti-Slavery Society the following is the 3d Article :

'This Society shall aim to elevate the character and condition of the people of color, by encouraging their intellectual, moral, and religious improvement, and by removing public prejudice, that thus they may, according to their intellectual and moral worth, share an equality with the whites, of civil and religious privileges; but this Society will never, in any way, countenance the oppressed in vindicating their rights by resorting to physical force.'

The following is from the official Address to the Public, by the Massachusetts Anti-Slavery Society, August 17, 1835.

'We refer our fellow citizens to any and all of our publications, per-

emptorily denying that there can be found in them a sentence, from which could be inferred other counsel to the slaves than this, "to suffer injury long and still be kind,"—"not to avenge themselves, but give place unto wrath."

The attempt is made to delude the community into the belief, that Abolitionists are willing to secure the emancipation of the slaves, at the expense of the safety of the whites. We deny this charge, in the most pointed manner. We have never advocated the right of physical resistance, on the part of the oppressed. We assure our assailants, that we would not sacrifice the life of a single slaveholder, to emancipate every slave in the United States. On the contrary, we are fully persuaded that the triumph of our principles is the only means of tranquility or safety, for our country.'

The American Society addressed the public soon after, and made a similar declaration :

'We have uniformly deprecated all forcible attempts on the part of the slaves to recover their liberty. And were it in our power to address them, we would exhort them to observe a quiet and peaceful demeanor, and would assure them that no insurrectionary movement on their part, would receive from us the slightest aid or countenance.

We would deplore any servile insurrection, both on account of the calamities which would attend it, and on account of the occasion which it might furnish of increased severity and oppression.'

Whoever will take the trouble to examine all the publications, that have been circulated by the Abolitionists, will find that they uniformly disclaim all reliance upon physical force. We would not hurt a hair of the slaveholder's head ; but we would fill his conscience with the sharp arrows of conviction.

NOTE B.

EXTRACT FROM THE CONSTITUTION OF THE U. S.

Art. III. *Amendments*.—"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or *abridging the freedom of speech, or of the press* ; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

FREEDOM OF SPEECH, AND OF THE PRESS,

GUARANTEED BY THE STATE CONSTITUTIONS.

The following extracts from the Constitutions of the several states show that the *freedom of speech and of the press* lies at the foundation of all American liberty, and that any citizen has a right to speak and print as he pleases, being responsible only to the *law* for the abuse of his liberty.

MAINE.

Every citizen may freely speak, write and publish his sentiments on any subject, being responsible for the abuse of this liberty. No laws shall be passed regulating or restraining the freedom of the press.

MASSACHUSETTS.

The liberty of the press is essential to security of freedom in a state ; it ought not, therefore, to be restrained in this Commonwealth.

NEW HAMPSHIRE.

The *liberty of the press* is essential to the security of freedom in a state ; it ought, therefore, to be inviolably preserved.

VERMONT.

The people have a right to freedom of speech, and of writing and publishing their sentiments concerning the transactions of government, and therefore the freedom of the press ought not to be restrained.

CONNECTICUT.

Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that liberty.

No law shall ever be passed to curtail or restrain the liberty of speech or of the press.

NEW YORK.

Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right ; and no law shall be passed to restrain or abridge the liberty of speech, or of the press. In all prosecutions, or indictments for libels, the truth may be given in evidence to the jury : and if it shall appear to the jury, that the matter charged as libellous is true, and was published with good motives, and for justifiable ends, the party shall be acquitted ; and the jury shall have the right to determine the law and the fact.

PENNSYLVANIA.

The printing presses shall be free to every person who undertakes to examine the proceedings of the Legislature, or any branch of government ; and no law shall ever be made to restrain the right thereof. The free communication of thoughts and opinions is one of the invaluable rights of man ; and every citizen may freely speak, write and print on any subject, being responsible for the abuse of that liberty.

DELAWARE.

The press shall be free to every citizen who undertakes to examine the official conduct of men, acting in a public capacity : and any citizen may print on any such subject, being responsible for the abuse of that liberty.

MARYLAND.

The liberty of the press ought to be inviolably preserved.

VIRGINIA.

The freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotic governments.

NORTH CAROLINA.

The freedom of the press is one of the great bulwarks of liberty, and therefore ought never to be restrained.

SOUTH CAROLINA.

The trial by jury, as heretofore used in this State, and the liberty of the press, shall be forever inviolably preserved.

GEORGIA.

Freedom of the press, and trial by jury, as heretofore used in this State, shall remain inviolate ; and no ex facto law shall be passed.

KENTUCKY, TENNESSEE, INDIANA, LOUISIANA, AND ILLINOIS.

The printing presses shall be free to every person, who undertakes to examine the proceedings of the Legislature, or any branch of government ; and no law shall ever be made to restrain the right thereof. The free communication of thoughts and opinions is one of the invaluable rights of man ; and every citizen may freely speak, write, and print on any subject, being responsible for the abuse of that liberty.

OHIO.

The printing presses shall be open and free to every citizen, who wishes to examine the proceedings of any branch of government, or the conduct of any public officer ; and no law shall ever restrain the right thereof. Every citizen has an indisputable right to speak, write or print upon any subject, as he thinks proper, being liable for the abuse of that liberty.

MISSISSIPPI.

Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the use of that liberty.

No law shall ever be passed to curtail or restrain the liberty of speech or of the press.

ALABAMA.

Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that liberty.

MISSOURI.

The free communication of thoughts and opinions is one of the invaluable rights of man ; and every person may freely speak, write, and print on any subject, being responsible for the abuse of that liberty.

NOTE C.

‘ As a traffic tending to establish or continue the slavery of any portion of the human species is disgraceful to the cause of liberty and humanity, that Congress, as soon as may be, promote and establish such laws and regulations as may effectually prevent the importations of slaves of any description into the United States.’—*Proposed amendment of the U. S. Constitution by Rhode Island.* [See proceedings of Ratification.]

NOTE D.

IN SENATE, November 30, 1831.

Resolved, by the Senate and House of Representatives of the State of Georgia, in General assembly met, That the sum of FIVE THOUSAND DOLLARS be, and the same is hereby appropriated, to be paid to any person or persons who shall arrest, bring to trial, and prosecute to conviction under the laws of this State, the EDITOR OR PUBLISHER of a certain paper called the LIBERATOR, published in the town of Boston, and State of MASSACHUSETTS; or who shall arrest, bring to trial, and prosecute to conviction under the laws of this State, any other person or persons who shall utter, publish or circulate within the limits of this state, said paper, called the Liberator, or any other paper, circular, pamphlet, letter or address, of a seditious character.

And that His Excellency the Governor is hereby authorized and requested, to issue his warrant upon the Treasurer, for said sum of five thousand dollars, in favor of any person or persons who shall have arrested, and brought to trial, and prosecuted to conviction, under the laws of this State, the editor or publisher of the Liberator; or who shall have arrested and brought to trial, or prosecute to conviction, under the laws of this State, any other person or persons who shall utter, publish or circulate, within the limits of this State, said paper, called the Liberator, or any other paper, circular, letter or address, of a seditious character.

And that these resolutions be inserted in the *appropriation act*.

And Resolved, further, That His Excellency the Governor cause the foregoing resolutions to be published in the public journals of this State, and SUCH OTHER PAPERS as he may think proper, and pay for the publication thereof, out of the contingent fund.

Read and agreed to.

THOMAS STOCKS, *President*.

Attest, I. L. HARRIS, *Secretary*.

IN HOUSE OF REPRESENTATIVES. Concurred in, Dec. 24, 1831.

ASBURY HULL, *Speaker*.

Attest, W. C. DAWSON, *Clerk*.

Approved, Dec. 26, 1831.

WILSON LUMPKIN, *Governor*.

For the murderers of Joseph White, the Governor of Massachusetts offered a reward of \$1000. Upon the head of Mr. Garrison, or of us his substitute, or of *any* editor or printer of the Liberator, the great State of Georgia, has set five times as much! What is the design of this extraordinary offer?

It cannot be to procure *directly* the punishment of the editors and mechanics connected with this press, because either of us being within the jurisdiction of Georgia, the previously existing laws of that State might and doubtless would be applied without any necessity for this subsidiary act. But there is no probability, that any person connected intimately with this paper, would ever go to the State of Georgia, and 'the collective wisdom' of that State did not, in our opinion, take into view such a contingency.

The act then was intended to operate *out of* the State of Georgia; in other words, it was designed to procure the *abduction* of one or more of the persons therein described.

Now it matters not that it would be contrary to well settled and known principles of law, to try and punish a man in Georgia, for publishing his sentiments in Massachusetts; it matters not that those principles are in force in Georgia itself, (as far as any principles which clash with their convenience, and their passions *can* be in force there,) because when a legislature has offered in such a manner, such a sum to accomplish the preliminary object of getting the persons described into their power, there can be no doubt that they have resolved to accomplish the ulterior object! And to that end, it is more than probable, that they would ride over all legal obstructions, which even their own laws and usages might oppose thereto.

The offer then of the sum of \$5000, is to procure the abduction and *judicial murder* of any person or persons employed, now or heretofore, (even before the passage of the law, thus making it clearly *ex post facto*,) in the editing or printing of this paper! The last resolution makes the intent of this act manifest without the help of much reasoning. The Legislature of Georgia were not content with providing for the promulgation of this act in their own newspapers in the usual way; but they also provide for disseminating it through the whole country, and the world. This shows that it was intended as a notice to kidnappers. This shows that the design was ABDUCTION and MURDER, and nothing else.--*Liberator*.

[From the Milledgeville (Ga.) Federal Union.]

\$10,000 REWARD,
FOR A. A. PHELPS,*
A NOTED ABOLITIONIST,

WHO is now spreading the detestable doctrine in the New-England States, and who is hired by the Tappanites, at the rate of \$1200 per annum. The above reward will be paid on his delivery in Savannah, to the sheriff of Chatham county. **MANY CITIZENS.**

February 1, 1836.—3t-32

* * Editors at the North, opposed to the abolition incendiaries, are requested to give the above notice one insertion in their respective papers.

* Mr. Phelps was formerly Pastor of the Pine Street Church in Boston.

NOTE E.

NORTHERN FREEMEN IMPRISONED BY SOUTHERN SLAVEHOLDERS.

[From the Wilmington (N. C.) Press.]

'A negro boy belonging to Capt. S. Potter, was found on board the schr. Butler, at the New Inlet, bound for Fall River, and ready for sea on the 15th inst. After an examination before the magistrates, Captain Carter was admitted to bail, and the mate and two seamen were committed to prison, until the Fall Term of our Superior Court, for want of security; and one other seaman also detained in prison as evidence in the case.—We have no wish to express any opinion as to the guilt or innocence of

the accused. That the magistrates are satisfied that the negro could not have got to his place of concealment without assistance from some one on board, is certain from the nature of their decision. And all this trouble, cost, and distress, has been brought about, for what? Nothing in the world but that strangers will be meddling with our municipal laws, even to their infraction—laws that in no way affect them, neither in person or property, but which are essential to our self-preservation. They will intermeddle, although they know that to carry away a slave, intentionally, is death on conviction; and the commanders of vessels will be careless and negligent, although they know that they are liable to a fine of \$500, if a slave is found on board, even without their knowledge. We would, in the spirit of sincere friendship, warn them that the laws *will be enforced*—as heart-rending as the event would be to us all, the dreadful penalty of the laws will be enforced, on the first conviction.'

We give the following article published soon after in the paper at Fall River, (Mass.) to which place the vessel belonged:

NORTHERN LIBERTY GONE.

*Mr. Editor:—*By an extract in your last, from the Wilmington (N. C.) Press, it appears that the crew of a vessel bound to this port, are there detained in prison, charged with the high crime of secreting a slave on board their vessel. And what is the penalty if convicted? Death!! and if not convicted of rendering assistance, a fine of \$500 for negligently suffering a slave to secrete himself on board. Now I wish to ask if a system which makes such laws necessary, is to be tolerated among a *free and enlightened people*? How long will the people of the North submit to such abuses, before they will rise in their moral strength and claim the abolition of that nefarious system under which they are enacted? The crime which has been alleged against them is neither more nor less than this; a human being, a brother, a fellow-heir of immortality, a child of the same God with themselves; guilty, it is true, of 'a skin not colored like their own,' but of no crime against the laws of the country, was found secreted in their vessel, for the obvious purpose of obtaining that liberty which Americans have declared to be the inalienable right of man, and which God has given us as a birthright to every being, but of which, our rapacity has robbed more than two millions of our fellow-citizens. And for this crime they are to be incarcerated in a southern prison, during a southern summer, and if nothing else can be proved against them, subjected to a fine of \$500. But on the other hand, should they be proved guilty of suffering their humanity to triumph over their policy, the higher feelings of their nature over the lower, the spirit which actuated the venerated Lafayette when he came to aid our fathers in their struggle for liberty, over that which aided their oppressors; in a word, if they are proved guilty of aiding the innocent victim of the most absolute tyranny the world ever saw, to escape from his oppressor; by the laws of a slaveholding State, *they are judged worthy of death!*

Admitting them to be entirely innocent of the charge of aiding the slave, what chance, think you, is there for justice to be done them? The South are peculiarly sensitive on the subject of slavery; they regard slaves, of all other species of property, as that which is least to be meddled with. It is doubtless very desirable that an example should be set to prevent the recurrence of similar acts of humanity. One seaman is detained as evidence in the case, and the institution of false witnesses is not a thing of yesterday, but is venerable from antiquity, and Judas Iscariots are to be found in these days, who, for 'thirty pieces of silver' would sell

their dearest friend. But suppose them guilty of the crime with which they are charged, under any other circumstances they would be deemed worthy of high praise for their noble daring, and would be highly censured had they acted otherwise. What would be said of a ship's crew who should refuse to receive an American citizen who had escaped from Algerine bondage, because, forsooth, the law of Algiers had decreed a heavy penalty for such an offence? And are American citizens to be less respected at home than abroad? But we are told that they have violated a law of the country, and surely laws are to be respected. Laws are indeed to be respected so far as they are conducive to the best good of the subjects of them. All human laws are not like the laws of the Medes and Persians, which alter not. They who make laws can surely mend them. But why are such laws made? they cannot be necessary in a free country. Let the truth be spoken—it is because ours is not a free country. A part of us are indeed free, and long and loud do we boast of our freedom, but, 'tell it not in Gath,' a part of us are *Slaves*!!—Blush, spirit of liberty, to declare it, *one-sixth of us are slaves!!!*

When will New-England arise in her majesty and shake the dust of this sin from her garments; when will her sons and daughters declare with one voice that slavery is a sin, that slaveholding is sinful, and consequently that slaveholders are sinners? New-England has moral power, and we would exert no other: let her united strength be directed against the monster, and its death-blow is given; its knell is already rung. Rise then my countrymen, and boldly declare your abhorrence of this system of iniquity, fear not to call the monster by his true name, fear not to show him in his true colors, fear not to 'speak the truth in love,' and then love of approbation, were there no higher motive, would soon actuate the slaveholder to rid himself of this sin. But they are men, they have consciences to be addressed, and let not New-England cease her exertions until the now slumbering conscience of the South is aroused, and not a slave exists as a blot on the fair disk of our national escutcheon.—*Fall River Recorder.*

NOTE F.

PERSECUTION OF AMOS DRESSER.

Mr. Dresser is one of those who took a dismissal from the Cincinnati Lane Seminary, on account of the law suppressing the Anti-Slavery Society. On the 1st of July last, he engaged in selling 'the Cottage Bible,' as the means of raising funds, to complete his education. In this business he passed through Kentucky, and arrived in Nashville, Tennessee, on the 18th of July. On his way he had distributed Anti-Slavery and other tracts, and periodicals, but in no case, to any person of color, bond or free. In Sumner county, Tennessee, he had sold a copy of Rankin's Letters on Slavery. So far was he from any attempt at concealment, or clandestine operation, that in sending his carriage to be repaired at Nashville, he did not take the precaution to remove from it a number of Anti-Slavery publications, that had been used in packing his Bibles in the box. These were discovered by the workmen, while rummaging the carriage, and a rumor was immediately set afloat that Dresser was trying to *excite the slaves to insurrection*, by the distribution of incendiary publications. As soon as he

learned this fact, Mr. Dresser explained to Mr. Stout, at whose shop his carriage was repaired, the reason of his having Anti-Slavery publications and leaving them in the carriage. On this occasion, Mr. Stout, himself a slaveholder, and a member of the Presbyterian church, told him that the scene represented in the cut, which had chiefly created the excitement, was one of by no means unfrequent occurrence—that it was accurate in all its parts, and that he had witnessed it again and again.

But the spirit of slavery was roused, and the exposure of the truth was not to be forgiven. Mr. Dresser was seized and brought before a committee of vigilance, consisting of sixty members, among whom were many professors of religion, and men of the highest respectability, in the city. This self-constituted tribunal proceeded to examine his trunks and to read his private letters. After an investigation, protracted till near midnight, they found him guilty of the following atrocious crimes:—‘1st, of being a member of an Anti-Slavery Society in Ohio:’ 2d, ‘of having in his possession periodicals published by the American Anti-Slavery Society:’ 3d, ‘they believed he had circulated these periodicals, and advocated in the community the principles they inculcate.’ Though these crimes were totally unknown to the laws, they proceeded to sentence him to receive TWENTY LASHES ON HIS BARE BACK, and leave the place in twenty-four hours, (i. e. on the Sabbath.) The committee, attended by the crowd, proceeded forthwith to the public square, to execute the sentence. On leaving the court-house, the Editor of one of the newspapers seized upon his journal and private letters, and appropriated them to his own use. We will describe the execution in the language of Mr. Dresser himself:

‘I entered the ring that had been formed; the chairman (accompanied by the committee) again called for an expression of sentiment in relation to the sentence passed upon me; again the vote was unanimous in approbation of it, and again did he express his gratification at the good order by which the whole proceeding had been characterized. Whilst some of the company were engaged in stripping me of my garments, a motion was made and seconded that I be exonerated altogether from punishment. This brought many and furious imprecations on the mover’s head, and created a commotion which was appeased only by the sound of the instrument of torture and disgrace upon my naked body.

‘I knelt to receive the punishment, which was inflicted by Mr. Braughton, the city officer, with a heavy cowskin. When the infliction ceased, an involuntary feeling of thanksgiving to God for the fortitude with which I had been enabled to endure it, arose in my soul, to which I began aloud to give utterance. The death-like silence that prevailed for a moment, was suddenly broken with loud exclamations, ‘G—d d—n him, stop his praying.’ I was raised to my feet by Mr. Braughton, and conducted by him to my lodging, where it was thought safe for me to remain but for a few moments.’

From this scene of persecution Mr. Dresser was hurried away, being obliged to make an almost total sacrifice of the property in his possession.

Perhaps some of Mr. Dresser’s self-styled judges, may justify themselves by saying, that had they voted to exonerate him from punishment, he would have been put to death by an infuriated mob. This is very probable, but what does such a probability prove of slavery? What sort of an institution is that which cannot bear to be spoken of in the language of truth? which drives the most respectable members of a community into a disgraceful and unlawful outrage upon the rights of an American citizen, to save the perpetration of a crime in its defence still more diabolical? Is there any longer a doubt that such an institution is dangerous to the country—nay, to the weal of the whole human race?—*Anti-Slavery Record.*

FEARS OF THE SOUTH.

On the 7th page we have quoted a passage from the Washington Telegraph, showing what it is the southerners really apprehend. We give below an extract from the speech of Mr. Pickens, member of Congress from South Carolina, which is to the same effect:

'Mr. Speaker, we cannot mistake all these things. The truth is, the moral power of the world is against us. It is idle to disguise it. We must, sooner or later, meet the great issue that is to be made upon this subject. Deeply connected with this, is the movement to be made in the District of Columbia. If the power be asserted in Congress to interfere here, or any approach be made toward that end, it will give a shock to our institutions and the country, the consequences of which no man can foretell. Sir, as well might you grapple your iron grasp into the very heart and vitals of South Carolina, as to touch this subject here.'

THE ALTERNATIVE,

As stated by J. G. Birney, Esq.—once a slaveholder—now devoted to the cause of the slave—the cause of freedom :

Liberty and slavery cannot, both, long live in juxtaposition. They are antagonist elements, and when roused into strife, know neither truce nor reconciliation. This is their condition now. They have met, fiercely disputing each other's reign. They are in actual conflict—theirs is the struggle of death; there can be but one triumph, and this in the utter destruction of the adversary. Either liberty will stand on the lifeless body, rejoicing in the everlasting overthrow of her great enemy—or slavery, with its chains and its scourges, its woes, its curses, and its tears, will overspread our favored land.'—[*From the Philanthropist, edited by James G. Birney.*]

[From the Boston Courier.]

STANZAS FOR THE TIMES.

BY J. G. WHITTIER.

Is this the land our fathers loved,
 The Freedom which they toiled to win?
 Is this the soil whereon they moved?
 Are these the graves they slumber in?
 Are *we* the sons by whom is borne
 The mantles which the dead have worn?

And shall we crouch above these graves,
 With craven soul and fettered lip?
 Yoke in with marked and branded SLAVES,
 And tremble at the driver's whip?

Bend to the earth our pliant knees,
And speak—but as our masters please?

Shall outraged nature cease to feel?
Shall Mercy's tears no longer flow?
Shall ruffian threats of cord and steel—
The dungeon's gloom—th' assassin's blow,
Turn back the spirit roused to save
Our Truth—our Country—and the *Slave*?

Of human skulls that shrine was made,
Whereon the priests of Mexico
Before their loathsome idol prayed—
Is Freedom's altar fashioned so?
And must we yield to Freedom's God,
As offering meet, the negro's blood?

Shall tongues be mute, when deeds are wrought
Which well might shame extremest hell?
Shall freemen lock th' indignant thought?
Shall Mercy's bosom cease to swell?
Shall Honor bleed?—Shall Truth succumb?
Shall pen and press and *soul* be dumb?

No—by each spot of haunted ground—
Where Freedom weeps her children's fall—
By Plymouth's rock—and Bunker's mound—
By Griswold's stained and shattered wall—
By Warren's ghost—by Langdon's shade—
By all the memories of our dead!

By their enlarging souls, which burst
The bands and fetters round them set—
By the FREE PILGRIM'S SPIRIT nursed
Within our inmost bosoms, yet,—
By all above—around—below—
Be ours th' indignant answer—NO!

No—guided by our country's laws,
For truth and right, and suffering man,
Be ours to strive in Freedom's cause,
As Christians *may*—as freemen *can*!
Still pouring on unwilling ears
That truth oppression only fears.

What—shall we guard our neighbor still,
 While *woman* shrieks beneath his rod,
 And while he tramples down at will
 The image of a common God!
 Shall watch and ward be round him set
 Of northern nerve and bayonet?

And shall we know and share with him
 The danger and the open shame?
 And see our Freedom's light grow dim,
 Which should have filled the world with flame?
 And, writhing, feel where'er we turn,
 A world's reproach around us burn?

Is 't not enough that this is borne?
 And asks our haughty neighbor more?
 Must fetters which his slaves have worn,
 Clank round the Yankee farmer's door?
 Must *he* be told, beside his plough,
What he must speak, and *when*, and *how*?

Must *he* be told his freedom stands
 On Slavery's dark foundations strong—
 On breaking hearts and fettered hands,
 On robbery and crime and wrong?
 That all his fathers taught is vain—
 That Freedom's emblem is the chain?

Its life—its soul, from *slavery* drawn?
 False—foul—profane! go—teach as well
 Of holy Truth from Falsehood born—
 Of Heaven refreshed by airs from Hell!
 Of virtue nursed by open Vice—
 Of Demons planting paradise!

Rail on, then, 'brethren of the South'—
 Ye shall not hear the truth the less—
 No seal is on the Yankee's mouth,
 No fetter on the Yankee's press!
 From our Green Mountains to the Sea,
 One voice shall thunder—**WE ARE FREE!**